<u>**REMARKS/ARGUMENTS**</u>

Prior to entry of this amendment, claims 1-2, 5-9, and 21-27 were pending in this application. Claims 1, 9, 21, and 22 have been amended, claims 2, 8, 23, and 24 have been canceled, and claim 28 has been added herein. Therefore, claims 1, 5-7, 9, 21, 22, and 25-28 are now pending. The Applicants respectfully request reconsideration of these claims for at least the reasons presented below.

<u>35 U.S.C. § 103 Rejection, Kaminski in view of Goldman, and further in view of Quine</u>

Claims 1-2, 5-9 and 21-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2005/0044155 A1 of Kaminski et al. (hereinafter "Kaminski") in view of U.S. Patent Pub. No. 2003/0233418 A1 of Goldman (hereinafter "Goldman"), and further in view of U.S. Patent Pub. No. 2002/0023138 A1 of Quine et al. (hereinafter "Quine"). The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims, as amended. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, all claimed limitations must first be taught or suggested by the prior art. *See, e.g.*, *DyStar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick Co.*, 464 F.3d 1356, 1360 (Fed. Cir. 2006). The Office Action must then provide an explicit analysis supporting the rejection. *See KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). While the Office Action can use one of several exemplary rationales from the MPEP to support an obviousness rejection under *KSR*, all the rationales still require the Office Action to demonstrate that all the claim elements are shown in the prior art. *See* MPEP §2143. As will be discussed below, the references cited by the Office Action do not teach or suggest each claimed limitation.

As noted previously, Kaminski is directed to "relates generally to systems and methods of filtering unwanted electronic mail messages, commonly referred to as spam." (paragraph 2) Under Kaminski, "when the first user sends an email message to the second user, the first user's mail client sends an authorization request to the first user's mail server . . . [which] authorizes the second user to send mail to the first user." (paragraph 4) "Authorization may comprise adding the first user to an accept list in conventional challenge response systems, or assigning a qualifying score to the first user in a score based challenge response system." (paragraph 4) That is, Kaminski describes filtering, i.e., delivering or not delivering, incoming messages to the recipient to eliminate unsolicited/unwanted messages based on whether the sender is on an accept list or has a particular score.

Goldman is directed to "management of electronic messages to reduce the volume of unwanted electronic messages that are received by recipients." (paragraph 2) More specifically, Goldman describes "filtering incoming electronic messages according to the sender's address, which is an address that actually identifies or purports to identify the sender of the electronic message." (paragraph 8) In other words, similar to Kaminski, Goldman describes filtering, i.e., delivering or not delivering, email messages to a recipient based on the sender's address and categorizations applied by a filter module. (See for example paragraph 49)

Also as noted previously, Quine is directed to "forwarding e-mail messages intended to be initially delivered to an obsolete or disfavored address to a chosen forwarding address associated with the obsolete or disfavored e-mail address." (paragraph 2) That is, Quine describes forwarding an email from one address of a recipient to another address of the recipient such as when the destination user's/recipient's address has been changed.

However, the Applicants respectfully maintain that the combination of Kaminski, Goldman, and/or Quine fails to teach or suggest each claim recitation. Furthermore, the Applicants respectfully contend that this combination of references would result in a system that operates in a significantly different manner from that recited in the pending claims. Specifically,

the combination of Kaminski, Goldman, and/or Quine would seem to suggest a system in which a source device would send an email message to a mail server which in turn would forward the email message to a recipient if the source is authorized to send that message as described by Kaminski and Goldman but wherein such forwarding from the mail server to the recipient would be subject to such re-direction as described in Quine.

In contrast, the pending claims are directed to a system in which the source device requests authorization from an authorization system, the authorization system responds to the source device with an indication of authorization, and the source device adds that indication to the email message and sends the email message with the added indication to the recipient which in turn can use the indication to verify the source. For example, claim 22 recites in part:

> "wherein the source device:
>> sends to the e-mail authorization system a request for authorization
> to send an electronic mail message to the destination device,
> wherein the e-mail authorization system:
>> receives from the source device the request for authorization to
> send the electronic mail message,
>> generates an authorization indicator that indicates the source of the
> request for authorization, and
>> sends the authorization indicator to the address of the source
> device after authorization,
> and wherein the source device:
>> receives from the e-mail authorization system the authorization
> indication,
>> adds the received authorization indicator to the electronic mail
> message, and
>> sends the electronic mail message with the added authorization
> indicator to the destination device."

Claim 22 further recites "wherein the destination device is adapted to handle receipt of the electronic mail message, including verifying the source address included in the received electronic mail message against the authorization indicator." Claim 1 includes similar recitations to those of claims 21 and 22 combined.

None of Kaminski, Goldman, or Quine teach or suggest, alone or in combination a system in which the source device requests authorization from an authorization system, the authorization system responds to the source device with an indication of authorization, and the source device adds that indication to the email message and sends the email message with the added indication to the recipient which in turn can use the indication to verify the source. Rather, the combination of Kaminski, Goldman, and/or Quine would seem to suggest a system in which a source device would send an email message to a mail server which in turn would forward the email message to a recipient if the source is authorized to send that message as described by Kaminski and Goldman but wherein such forwarding from the mail server to the recipient would be subject to such re-direction as described in Quine. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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